



Federal Aviation Administration

Office Of The Chief Counsel

Office Of Dispute Resolution For Acquisition (ODRA)

CASE MANAGEMENT STATISTICS

As of June 8, 2006

I. CASE TOTALS

- **Cases Filed Since April 1, 1996: 406 (including: 259 FAA Protests; 15 TSA Protests; 110 FAA Contract Disputes; 7 TSA Contract Disputes; 4 FAA Contests; and 11 EAJA applications)**

- **Cases Completed: 398**

- **Cases Resolved Via ADR: 281 (71%)**

- **Adjudicatory Decisions Issued: 117**

- **Cases Pending: 8**

- **Total Pre-Dispute & Dispute Avoidance Matters/Non-AMS Disputes* Filed: 67**

* This category encompasses matters brought before the ODRA by mutual agreement of the parties, in an attempt to achieve amicable resolution via ADR. Such matters include (1) AMS contract-related cases brought to the ODRA prior to the formal initiation of a contract dispute; (2) claims under pre-AMS contracts that are brought to the ODRA before or after a Contracting Officer Final Decision under the Contract Disputes Act ("CDA") or before or after the institution of an appeal from such a Decision to another forum under the CDA; and (3) claims against other federal agencies brought to the ODRA for mediation by mutual agreement of the parties.

- **Pre-Dispute Cases Pending: 3**

II. BID PROTESTS (including TSA Protests)

- **Total Protests Filed Since April 1, 1996: 274**

- **Total Protests Completed Since April 1, 1996: 272**

- **Total Cases Pending: 2**

- **Cases Resolved Via ADR: 176 (65%)**

- **Cases Adjudicated to Final Agency Decision: 96**

- **Dismissed: 25**

- **Partial or Full Relief Granted: 26**

- **Relief Denied: 45**

III. CONTRACT DISPUTES (including TSA Contract Disputes)

- Total Contract Disputes Filed Since April 1, 1996: 117
- Total Contract Disputes Completed Since April 1, 1996: 111
- Total Cases Pending: 6
- Cases Resolved Via ADR: 100 (92%)
- Cases Adjudicated to Final Agency Decision: 11
 - Dismissed: 4
 - Partial or Full Relief granted: 6
 - Relief denied: 1

IV. CONTESTS (UNDER OMB CIRCULAR A-76)

- Total Contests Filed Since April 1, 1996: 4
- Total Contests Completed Since April 1, 1996: 2
- Total Cases Pending: 0
- Cases Resolved Via ADR: 2 (50%)
- Cases Adjudicated to Final Agency Decision: 2

IV. EQUAL ACCESS TO JUSTICE ACT (EAJA) CASES

- Total EAJA Cases Filed Since April 1, 1996: 11
- Total EAJA Cases Completed Since April 1, 1996: 11
- Total Cases Pending: 0
- Cases Resolved Via ADR: 3 (30%)
- Cases Adjudicated to Final Agency Decision: 8
 - Partial or Full Relief granted: 4
 - Relief denied: 4

V. RESOLUTION TIMEFRAMES (for cases filed 12/8/97 forward)

- Bid Protests
 - Cases Resolved Via ADR
 - ♦ Average Duration: 24 days
 - ♦ Duration Range: 1 day to 141 days

- Cases Adjudicated to Final Agency Decision
 - ♦ Average Duration: 63 days
 - ♦ Duration Range: 13 to 150 days
- Contract Disputes
 - Cases Resolved Via ADR
 - ♦ Average Duration: 70 days
 - ♦ Duration Range: 3 to 529 days
 - Cases Adjudicated to Final Agency Decision
 - ♦ Average Duration*: 129 days
 - * from commencement of the Default Adjudicative Process
 - ♦ Duration Range: 35 to 359 days
- Contests
 - Cases Resolved Via ADR
 - ♦ Average Duration: 31 days
 - ♦ Duration Range: 16 to 46 days
 - Cases Adjudicated to Final Agency Decision
 - ♦ Average Duration: 138 days
 - ♦ Duration Range: 135 to 140 days

VI. SMALL BUSINESS PARTICIPATION IN THE ODRA PROCESS

- 406 ODRA cases filed since April 1, 1996
- 331 instituted by small businesses (82%)
- 220 of the 322 prosecuted without the assistance of counsel (on a *pro se* basis) (68%)*

*Note: The FAA is represented by counsel in all ODRA cases.